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09/898,339	07/03/2001	Paul T. Brescia	7000-078	2482

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EXAMINER
NGUYEN, HUNG T

ART UNIT	PAPER NUMBER
2636	

DATE MAILED: 10/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/898,339	BRESCIA, PAUL T.
	Examiner	Art Unit	
	Hung T. Nguyen	2636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _10 September 2004_.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-23_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-23_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Amine et al.

(U.S. 6,353,398) in view of Lohtia (U.S. 6,560,456).

Regarding claim 1, Amin discloses a method / a system for notification [figs.1-3, col.1, lines 6-

11 and col.2, lines 53-66] comprising:

-   determining an event occurrence [figs.1-4, col.1, line 63 to col.2, line 20];

-   determining location indicia / hospitals , dealers (70), stores / restaurants (60) [figs.1-4, col.1,

line 63 to col.2, line 20];

-   sending information to a communication device (50) when the event occurrence and the

location indicia correlate with an event criteria and location criteria [figs.1-4, col.1, lines 45-50

and col.2, line 53 to col.3, line 47].

Amin does not specifically disclose sending information to a plurality of communication

devices and a phrase "user desired profile" in the system for notification that outlines when

certain types of information are to be delivered.

However, Amin clearly teaches a system for notification includes a focus directed system

(20a) combines the directed information system mention above with a selectively defined

parameter may include demographic and other related criteria for linking specific information to

a regionally located users as individual incomes, survey information of users, buying history /

pattern [fig.3, col.4, lines 3-28].

Furthermore, Lohtia teaches a system for providing to communication devices such as

wireline telephone (320), mobile phone (301) or other subscriber unit as a user requests data

information in the form of short message service such as stock quotations, weather information,

movie theatre preferences or any other information that the user may require from Internet (303),

the World Wide Web or other sources via Distributed Wireless Web Information Service

Gateway (302) which correlates identity information to a particular user file in database (311).

The information may be formatted according to a preselected configuration that is stored in a

user service information profile. The service information profile database may be accessible to

and serve one or **more wireless networks** [figs.3-4, col.2, lines 37-56, col.4, lines 22-50, col.7,

lines 16-42, col.8, lines 13-45 and col.10, lines 6-28 and abstract].

Therefore, it would have been obvious to one having ordinary skill in the art to employ

the teaching of Lohtia the system of Amin which users may receive any desired information

based on time or predetermined times, location and event triggers that outlines when certain

types information are to be delivered through a plurality of communication devices.

Regarding claims 2-3, Amin does not specifically disclose the determining an event occurrence

and location indicia with a plurality of **steps** as claimed by the applicant.

However, Amin clearly teaches the system for delivering information such as a

notification or other content. The system for directing and receiving information to and from

geographically relevant locations. The system links information from Internet or other databases

when both the event occurrence and location indicia / hospitals, dealers (70), stores / restaurants

(60) is actual location or area and proximity of to a location, the information is requested can be

sent to the appropriate communication device such as a computer / hand-held mobile, webpage,

e-mail system is selected by the user [figs.1-4, col.1, line 63 to col.2, line 20 and col.3, lines 7-

47] and

Lohtia teaches the system for providing a short message service to communication

devices such as wireline telephone (320), mobile phone (301) or other subscriber unit as a user

requests data information such as stock quotations, location information, weather information,

movie theatre, entertainment preferences or any other information as **the user profile is set** that

the user may require from Internet (303), the World Wide Web or other sources via Distributed

Wireless Web Information Service Gateway (302) which correlates identity information to a

particular **user file in database (311).** The information may be formatted according to a

preselected configuration that is stored in a user service information profile. The service

information profile database may be accessible to and serve one or more wireless networks [

figs.3-4, col.2, lines 37-56, col.4, lines 22-50, col.7, lines 16-42, col.8, lines 13-45 and col.10,

lines 6-28 and abstract].

Therefore, it would have been obvious to one having ordinary skill in the art to have the

teaching of Lohtia the system of Amin to provide directing information to users who met certain

criteria.

Regarding claims 4-5, Amin discloses the information is sent to the selected communication

device is a notification pertaining to the event occurrence and the location indicia [fig.3, col.2,

lines 5-20 , col.3, lines 7-47 and col.4, lines 3-28] and

Lohtia teaches the system for providing a short message service to communication

devices such as wireline telephone (320), mobile phone (301) or other subscriber unit as a user

requests data information such as stock quotations, location information, weather information,

movie theatre, entertainment preferences or any other information as **the user profile is set** that

the user may require from Internet (303), the World Wide Web or other sources via Distributed

Wireless Web Information Service Gateway (302) which correlates identity information to a

particular **user file in database (311).** The information may be formatted according to a

preselected configuration that is stored in a user service information profile. The service

information profile database may be accessible to and serve one or more wireless networks [

figs.3-4, col.2, lines 37-56, col.4, lines 22-50, col.7, lines 16-42, col.8, lines 13-45 and col.10,

lines 6-28 and abstract].

Regarding claim 6, Both Amin & Lohtia disclose the communication devices for requesting and

receiving informations by the user is a remote service / computer / hand-held mobile (50) and

mobile phone (32) [col.2, lines 5-20 , col.3, lines 7-47 and col.4, lines 3-28] and a wireline

telephone (320), mobile phone (301) or other subscriber unit   [figs.3-4, col.7, lines 16-42, col.8,

lines 13-45 and col.10, lines 6-28].

Regarding claim 7, Amin discloses the location indicia / hospitals, dealers (70), stores /

restaurants (60) is actual location or area and proximity of to a location [figs.1-4, col.1, line 63

to col.2, line 20] and

Lohtia teaches the system for providing a short message service to communication

devices such as wireline telephone (320), mobile phone (301) or other subscriber unit as a user

requests data information such as stock quotations, location information, weather information,

movie theatre, entertainment preferences or any other information as **the user profile is set** that

the user may require from Internet (303), the World Wide Web or other sources via Distributed

Wireless Web Information Service Gateway (302) which correlates identity information to a

particular **user file in database (311).** The information may be formatted according to a

preselected configuration that is stored in a user service information profile. The service

information profile database may be accessible to and serve one or more wireless networks [

figs.3-4, col.2, lines 37-56, col.4, lines 22-50, col.7, lines 16-42, col.8, lines 13-45 and col.10,

lines 6-28 and abstract].

Regarding claims 8-10, Lohtia teaches the system for providing a short message service to

communication devices such as wireline telephone (320), mobile phone (301) or other subscriber

unit as a user requests data information such as **location information, weather information,** or

any other information as **the user profile is set** that the user may require from Internet (303), the

World Wide Web or other sources via Distributed Wireless Web Information Service Gateway

(302) which correlates identity information to a particular **user file in database (311).** The

information may be formatted according to a preselected configuration that is stored in a user

service information profile. The service information profile database may be accessible to and

serve one or more wireless networks [figs.3-4, col.4, lines 22-50, col.7, lines 16-42, col.10, lines

6-28].

Regarding claims 11-12, Amin discloses the information is sent to the selected communication

device is a mobile phone or computer or electronic device to the mobile user (50) [fig.2, col.3,

lines 7-47] and

Lohtia teaches the system for providing a short message service to communication

devices such as wireline telephone (320), mobile phone (301) or other subscriber unit as a user

requests data information such as stock quotations, location information, weather information,

movie theatre, entertainment preferences or any other information as **the user profile is set** that

the user may require from Internet (303), the World Wide Web or other sources via Distributed

Wireless Web Information Service Gateway (302) which correlates identity information to a

particular **user file in database (311).** The service information profile database may be

accessible to and serve one or more wireless networks [figs.3-4, col.4, lines 22-50, col.7, lines 16-42, col.8, lines 13-45 and col.10, lines 6-28].

Regarding claims 13-15, Amin discloses the user requesting the location information through a computer / hand-held mobile (50), webpage, e-mail system as desired [fig.2, col.1, line 45 to col.2, line 20 and col.3, lines 7-47] and

Lohtia teaches the system for providing a short message service to communication devices such as wireline telephone (320), mobile phone (301) or other subscriber unit as a user requests data information such as stock quotations, location information, weather information, movie theatre, entertainment preferences or any other information as **the user profile is set** that the user may require from Internet (303), the World Wide Web or other sources via Distributed Wireless Web Information Service Gateway (302) which correlates identity information to a particular **user file in database (311).** The service information profile database may be accessible to and serve one or more wireless networks [figs.3-4, col.4, lines 22-50, col.7, lines 16-42, col.8, lines 13-45 and col.10, lines 6-28].

Regarding claim 16, The request informations are stored in a database or Internet is sent the computer / hand-held mobile, webpage, e-mail system is selected by the user [fig.2, col.1, line 45 to col.2, line 20 and col.3, lines 7-47] and

Lohtia teaches the system for providing a short message service to communication devices such as wireline telephone (320), mobile phone (301) or other subscriber unit as a user requests data information such as stock quotations, location information, weather information,

movie theatre, entertainment preferences or any other information as **the user profile is set** that

the user may require from Internet (303), the World Wide Web or other sources via Distributed

Wireless Web Information Service Gateway (302) which correlates identity information to a

particular **user file in database (311).** The service information profile database may be

accessible to and serve one or more wireless networks [figs.3-4, col.4, lines 22-50, col.7, lines

16-42, col.8, lines 13-45 and col.10, lines 6-28].

Regarding claim 17, Amin discloses a method / a system for notification [figs.1-3, col.1, lines 6-

11 and col.2, lines 53-66] comprising:

- determining an event occurrence [figs.1-4, col.1, line 63 to col.2, line 20];

- determining location indicia / hospitals, dealers (70), stores / restaurants (60) [figs.1-4, col.1,

line 63 to col.2, line 20];

- sending information to a communication device (50) when the event occurrence and the

location indicia correlate with an event criteria and location criteria [figs.1-4, col.1, lines 45-50

and col.2, line 53 to col.3, line 47].

Amin does not specifically disclose sending information to a plurality of communication

devices and a phrase "user desired profile" in the system for notification that outlines when

certain types of information are to be delivered.

However, Amin clearly teaches a system for notification includes a focus directed system

(20a) combines the directed information system mention above with a selectively defined

parameter may include demographic and other related criteria for linking specific information to

a regionally located users as individual incomes, survey information of a user, buying history /

pattern [fig.3, col.4, lines 3-28].

Lohtia teaches the system for providing a short message service to communication

devices such as wireline telephone (320), mobile phone (301) or other subscriber unit as a user

requests data information such as stock quotations, location information, weather information,

movie theatre, entertainment preferences or any other information as **the user profile is set** that

the user may require from Internet (303), the World Wide Web or other sources via Distributed

Wireless Web Information Service Gateway (302) which correlates identity information to a

particular **user file in database (311).** The information may be formatted according to a

preselected configuration that is stored in a user service information profile. The service

information profile database may be accessible to and serve one or more wireless networks [

figs.3-4, col.2, lines 37-56, col.4, lines 22-50, col.7, lines 16-42, col.8, lines 13-45 and col.10,

lines 6-28 and abstract].

Therefore, it would have been obvious to one having ordinary skill in the art to employ

the teaching of Lohtia the system of Amin which users may receive any desired information

based on time or predetermined times, location and event triggers that outlines when certain

types information are to be delivered through a plurality of communication devices.

Regarding claims 18-19, Amin does not specifically disclose the determining an event

occurrence and location indicia with a plurality of **steps** as claimed by the applicant.

However, Amin clearly teaches the system for delivering information such as a

notification or other content . The system for directing and receiving information to and from

geographically relevant locations. The system links information from Internet or other databases

when both the event occurrence and location indicia / hospitals , dealers (70), stores / restaurants

(60) is actual location or area and proximity of to a location , the information is requested can be

sent to the appropriate communication device such as a computer / hand-held mobile , webpage,

e-mail system is selected by the user [figs.1-4, col.1, line 63 to col.2, line 20 and col.3, lines 7-

47] and

Lohtia teaches the system for providing a short message service to communication

devices such as wireline telephone (320), mobile phone (301) or other subscriber unit as a user

requests data information such as stock quotations, location information, weather information,

movie theatre, entertainment preferences or any other information as **the user profile is set** that

the user may require from Internet (303), the World Wide Web or other sources via Distributed

Wireless Web Information Service Gateway (302) which correlates identity information to a

particular **user file in database (311).** The information may be formatted according to a

preselected configuration that is stored in a user service information profile. The service

information profile database may be accessible to and serve one or more wireless networks [

figs.3-4, col.2, lines 37-56, col.4, lines 22-50, col.7, lines 16-42, col.8, lines 13-45 and col.10,

lines 6-28 and abstract].

Therefore, it would have been obvious to one having ordinary skill in the art to have the

teaching of Lohtia the system of Amin to provide directing information to users who met certain

criteria.

Regarding claim 20, Amin discloses a computer readable medium comprising software

configured to instruct a computer (10c) to [fig.5, col.4, line 51 to col.6, line 10 and col.8, lines

20-49]:

- determining an event occurrence [figs.1-5, col.1, line 63 to col.2, line 20 and col.4, line 51 to

col.6, line 10];

- determining location indicia / hospitals , dealers (70), stores / restaurants (60) [figs.1-5, col.1,

line 63 to col.2, line 20 and col.4, line 51 to col.6, line 10];

- sending information to a select communication device (50) when the event occurrence and the

location indicia correlate with an event criteria and location criteria [figs.1-5, col.1, lines 45-50 ,

col.2, line 53 to col.3, line 47 and col.4, line 51 to col.6, line 10].

Amin does not specifically disclose a phrase "user desired profile" in the system for

notification that outlines when certain types of information are to be delivered.

However, Amin clearly teaches a system for notification includes a focus directed system

(20a) combines the directed information system mention above with a selectively defined

parameter may include demographic and other related criteria for linking specific information to

a regionally located user as individual incomes, survey information of a user, buying history /

pattern [fig.3, col.4, lines 3-28].

Lohtia teaches the system for providing a short message service to communication

devices such as wireline telephone (320), mobile phone (301) or other subscriber unit as a user

requests data information such as stock quotations, location information, weather information,

movie theatre, entertainment preferences or any other information as **the user profile is set** that

the user may require from Internet (303), the World Wide Web or other sources via Distributed

Wireless Web Information Service Gateway (302) which correlates identity information to a

particular **user file in database (311).** The information may be formatted according to a

preselected configuration that is stored in a user service information profile. The service

information profile database may be accessible to and serve one or more wireless networks [

figs.3-4, col.2, lines 37-56, col.4, lines 22-50, col.7, lines 16-42, col.8, lines 13-45 and col.10,

lines 6-28 and abstract].

Therefore, it would have been obvious to one having ordinary skill in the art to employ

the teaching of Lohtia the system of Amin which user may receive any desired information based

on time or predetermined times, location and event triggers that outlines when certain types

information are to be delivered.

Regarding claims 21-22, Amin does not specifically disclose the determining an event

occurrence and location indicia with a plurality of **steps** as claimed by the applicant.

However, Amin clearly teaches the system for delivering information such as a

notification or other content . The system for directing and receiving information to and from

geographically relevant locations. The system links information from Internet or other databases

when both the event occurrence and location indicia / hospitals , dealers (70), stores / restaurants

(60) is actual location or area and proximity of to a location , the information is requested can be

sent to the appropriate communication device such as a computer / hand-held mobile , webpage,

e-mail system is selected by the user [figs.1-4, col.1, line 63 to col.2, line 20 and col.3, lines 7-

47] and

Lohtia teaches the system for providing a short message service to communication

devices such as wireline telephone (320), mobile phone (301) or other subscriber unit as a user

requests data information such as stock quotations, location information, weather information,

movie theatre, entertainment preferences or any other information as **the user profile is set** that

the user may require from Internet (303), the World Wide Web or other sources via Distributed

Wireless Web Information Service Gateway (302) which correlates identity information to a

particular **user file in database (311).** The information may be formatted according to a

preselected configuration that is stored in a user service information profile. The service

information profile database may be accessible to and serve one or more wireless networks [

figs.3-4, col.2, lines 37-56, col.4, lines 22-50, col.7, lines 16-42, col.8, lines 13-45 and col.10,

lines 6-28 and abstract].

Therefore, it would have been obvious to one having ordinary skill in the art to have the

teaching of Lohtia the system of Amin to provide directing information to users who met certain

criteria.

Regarding claim 23, Amin discloses a method / a system for notification [figs.1-3, col.1, lines 6-

11 and col.2, lines 53-66] comprising:

- determining an event occurrence [figs.1-4, col.1, line 63 to col.2, line 20];

- determining location indicia / hospitals , dealers (70), stores / restaurants (60) [figs.1-4, col.1,

line 63 to col.2, line 20];

- sending information to a select communication device (50) when the event occurrence and the location indicia correlate with an event criteria and location criteria [figs.1-4, col.1, lines 45-50 and col.2, line 53 to col.3, line 47].

Amin does not specifically disclose a phrase "user desired profile" in the system for notification that outlines when certain types of information are to be delivered.

However, Amin clearly teaches a system for notification includes a focus directed system (20a) combines the directed information system mention above with a selectively defined parameter may include demographic and other related criteria for linking specific information to a regionally located user as individual incomes, survey information of a user, buying history / pattern [fig.3, col.4, lines 3-28].

Furthermore, Lohtia teaches the system for providing a short message service to communication devices such as wireline telephone (320), mobile phone (301) or other subscriber unit as a user requests data information such as stock quotations, location information, weather information, movie theatre, entertainment preferences or any other information as **the user profile is set** that the user may require from Internet (303), the World Wide Web or other sources via Distributed Wireless Web Information Service Gateway (302) which correlates identity information to a particular **user file in database (311).** The information may be formatted according to a preselected configuration that is stored in a user service information profile. The service information profile database may be accessible to and serve one or more wireless networks [figs.3-4, col.2, lines 37-56, col.4, lines 22-50, col.7, lines 16-42, col.8, lines 13-45 and col.10, lines 6-28 and abstract].

Therefore, it would have been obvious to one having ordinary skill in the art to employ

the teaching of Lohtia the system of Amin which user may receive any desired information based

on time or predetermined times, location and event triggers that outlines when certain types

information are to be delivered.

Arguments & Responses

3.   Applicant's argument filed on Sept. 10, 2004 have been fully considered but are moot in

view of the new ground(s) of rejection.

Conclusion

4.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Hung T. Nguyen whose telephone number is (571) 272-2982.

The examiner can normally be reached on Monday to Friday from 8:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Hofsass, Jeffery can be reached on (571) 272-2981. The fax phone number for this

Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Examiner: Hung T. Nguyen

Date: Oct. 5, 2004